

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

After entry of the foregoing amendment, Claims 1-194 are pending in the present application. Claims 1-4, 7-9, 13, 19, 25, 30, 35, 52, 69-70, 73, 98-101, 104-106, 110, 116, 122, 127, 132, 149, 166-167, and 170 are amended without introduction of new matter. In a number of the amended claims the term “for \_\_\_\_ing” has been replaced with “configured to” to avoid an interpretation under 35 U.S.C. 112, paragraph 6.

In the outstanding Office Action, Claims 1-12, 25-40, 47-57, 63-75, 88-109, 122-137, 144-154, 161-172, and 185-194 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,490, 627 to Kalra et al. (hereinafter “Kalra”); Claims 13-24, 41-46, 58-62, 76-87, 110-121, 138-143, 155-160, and 173-184 were rejected under 35 U.S.C. 103(a) as unpatentable over Kalra in view of U.S. Patent No. 6,493,763 to Suzuki.

Addressing now all of the rejections of Claims 1-194, summarized above, as anticipated by or unpatentable over Kalra, those rejections are respectfully traversed.

Though amended independent Claims 1, 35, 52, 69, 98, 132, 149, and 166 are different in scope, each of those claims recites structure or steps that transmit “a continuous stream of content data that consists of multimedia content groups, each composed of program data and auxiliary data items including transmission/reproduction validity terms and conditions of assigning a right”. The remaining claims depend from Claims 1, 35, 52, 69, 98, 132, 149, and 166.

Applicant's disclosure provides non-limiting examples of the claimed "transmission/reproduction validity terms" and "conditions of assigning a right". A few of those examples are discussed below.

With respect to the claimed transmission/reproduction validity terms, those examples illustrate that attributes of program data, auxiliary data items, and additional auxiliary data items may describe the terms under which contents of those data items remain valid; and the terms under which the contents may be transmitted and/or reproduced.<sup>1</sup>

With respect to the conditions of assigning a right, those examples illustrate that where transmission and/or reproduction is permitted, various assigning of rights and conditions thereof may be granted. Changes in the order of auxiliary data items may be allowed or prohibited; and the replacement of one auxiliary data item with another may be allowed or prohibited. There may be unconditional assignment of rights; no assignment of rights; and assignment of right where a condition is satisfied.<sup>2</sup>

There are numerous such examples of "transmission/reproduction validity terms" and "conditions of assigning a right" within Applicant's disclosure, and the respective meanings of "transmission/reproduction validity terms" and "conditions of assigning a right" are believed to be self-evident to one skilled in the art.

The outstanding Office Action cites Kalra as teaching each feature of Claims 1, 35, 52, 69, 98, 132, 149, and 166, with the exception of citing Suzuki as teaching "attribute data representing means for transferring money and settling charges". The above-noted features are not addressed by the Office Action; and Applicant respectfully asserts that neither Kalra nor Suzuki teaches the above-noted features. In that regard, Applicant notes that Kalra teaches a stream server for streaming data to

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<sup>1</sup> Specification, page 29, lines 4-20.

<sup>2</sup> Specification, page 29, line 21 – page 35, line 15.

client computers. The stream server tailors the streamed data in order to maximize the resolution of each client computer, i.e., the resolution of a client computer's 3D, audio, and video components.<sup>3</sup> There is no indication that the streamed data includes "transmission/reproduction validity terms" and "conditions of assigning a right".

Suzuki does not cure this deficiency of Kalra.

Accordingly, Applicant respectfully requests that the rejections of Claims 1-194, summarized above, as anticipated by or unpatentable over Kalra be withdrawn.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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<sup>3</sup> Kalra, Abstract.